

# INTERNATIONAL SEARCH REPORT

PCT/EP 03/03059

**A: CLASSIFICATION OF SUBJECT MATTER**  
 IPC 7 B01L3/00 C12Q1/68

According to International Patent Classification (IPC) or to both national classification and IPC

**B. FIELDS SEARCHED**

Minimum documentation searched (classification system followed by classification symbols)  
 IPC 7 B01L C12Q

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the international search (name of data base and, where practical, search terms used)

EPO-Internal, WPI Data

**C. DOCUMENTS CONSIDERED TO BE RELEVANT**

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
X	WO 01 36974 A (PHARMACIA DIAGNOSTICS AB) 25 May 2001 (2001-05-25) page 2, line 13 -page 3, line 19 page 4, line 8 -page 5, line 22 page 7, line 26 -page 8, line 30	1-23
Y	WO 01 26813 A (MICRONICS INC) 19 April 2001 (2001-04-19) page 1, line 1 -page 3, line 20 page 9, line 1 -page 10, line 20 page 24, line 5 -page 24, line 10 --- -/--	1-13, 15-23

☒ Further documents are listed in the continuation of box C.

☒ Patent family members are listed in annex.

\* Special categories of cited documents :

- \*A\* document defining the general state of the art which is not considered to be of particular relevance
- \*E\* earlier document but published on or after the international filing date
- \*L\* document which may throw doubts on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)
- \*O\* document referring to an oral disclosure, use, exhibition or other means
- \*P\* document published prior to the international filing date but later than the priority date claimed

- \*T\* later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention
- \*X\* document of particular relevance; the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone
- \*Y\* document of particular relevance; the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art.
- \* & \* document member of the same patent family

Date of the actual completion of the international search

23 October 2003

Date of mailing of the international search report

10/11/2003

Name and mailing address of the ISA

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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
Y	WHARAM S ET AL.: "Specific detection of DNA and RNA targets using a novel isothermal nucleic acid amplification assay based on the formation of a three-way junction structure" NUCLEIC ACIDS RESEARCH, vol. 29, no. 11 e54, 2001, pages 1-8, XP002258951 Oxford abstract page 7, column 1, paragraph 3 -page 7, column 1, paragraph 5 ---	1-13, 15-23
X	US 5 310 650 A (MCMAHON MICHAEL E ET AL) 10 May 1994 (1994-05-10) column 1, line 1 -column 3, line 58 column 4, line 21 -column 5, line 38 column 7, line 30 -column 9, line 5 column 11, line 38 -column 11, line 62 ---	1-12
X	WO 98 22625 A (BECTON DICKINSON CO ;REGENT OF THE UNIVERSITY OF MI (US)) 28 May 1998 (1998-05-28) page 25, line 25 -page 30, line 3 page 32, line 4 -page 33, line 2 page 38, line 4 -page 38, line 28 ---	1-5, 10-13, 15-23
X	US 6 326 211 B1 (FODOR STEPHEN P A ET AL) 4 December 2001 (2001-12-04)  page 6, line 55 -page 17, line 16 column 20, line 47 -column 24, line 14 column 37, line 28 -column 37, line 41 ---	1-5, 10-13, 15-23
X	WO 94 26414 A (SYNTEX INC) 24 November 1994 (1994-11-24)  page 4, line 34 -page 5, line 35 ---	1-5, 10-13, 15-23
X	US 2001/036634 A1 (BROWN TIMOTHY ALLAN ET AL) 1 November 2001 (2001-11-01) cited in the application paragraph '0052! paragraphs '0004!-'0019! ---	1-13, 15-23
X	WO 00 12675 A (MOLECULAR INNOVATIONS INC) 9 March 2000 (2000-03-09) cited in the application page 6, line 16 -page 6, line 17 example 9 ---	1-4
A	US 5 354 538 A (THORPE GARY H G H ET AL) 11 October 1994 (1994-10-11) the whole document ---	13,14
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## C.(Continuation) DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
A	WO 93 06240 A (CYTOCELL LTD) 1 April 1993 (1993-04-01) cited in the application the whole document ---	1-23
A	US 5 451 500 A (STAPLETON MARILYN J) 19 September 1995 (1995-09-19) column 1, line 1 -column 4, line 61 -----	1-23

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## Box I Observations where certain claims were found unsearchable (Continuation of item 1 of first sheet)

This International Search Report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:  
because they relate to subject matter not required to be searched by this Authority, namely:
  
2. ☒ Claims Nos.: 24-26  
because they relate to parts of the International Application that do not comply with the prescribed requirements to such an extent that no meaningful International Search can be carried out, specifically:  
see FURTHER INFORMATION sheet PCT/ISA/210
  
3. ☐ Claims Nos.:  
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

## Box II Observations where unity of invention is lacking (Continuation of item 2 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:

1. ☐ As all required additional search fees were timely paid by the applicant, this International Search Report covers all searchable claims.
  
2. ☐ As all searchable claims could be searched without effort justifying an additional fee, this Authority did not invite payment of any additional fee.
  
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this International Search Report covers only those claims for which fees were paid, specifically claims Nos.:
  
4. ☐ No required additional search fees were timely paid by the applicant. Consequently, this International Search Report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.:

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest.
- ☐ No protest accompanied the payment of additional search fees.

## FURTHER INFORMATION CONTINUED FROM PCT/ISA/ 210

Continuation of Box I.2

Claims Nos.: 24-26

Subject-matter of claims 24-26 refer to the drawings and the description in general. It is not apparent which minimum technical features shall define their scope. Thus claims 24-26 are unclear as they do not clearly define the claimed subject-matter as required by Article 6 PCT. The unclarity was such that a meaningful search of these claims was therefore not possible.

The applicant's attention is drawn to the fact that claims, or parts of claims, relating to inventions in respect of which no international search report has been established need not be the subject of an international preliminary examination (Rule 66.1(e) PCT). The applicant is advised that the EPO policy when acting as an International Preliminary Examining Authority is normally not to carry out a preliminary examination on matter which has not been searched. This is the case irrespective of whether or not the claims are amended following receipt of the search report or during any Chapter II procedure.

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